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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 JONATHAN WATERS,

11 Plaintiff,

12 v.

13 CHRISTOPHER MITCHELL, et al.,

14 Defendants.

CASE NO. C21-0087JLR

ORDER

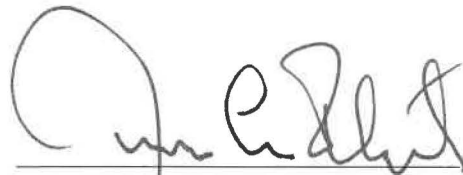
15 Federal Rule of Civil Procedure 4 requires a plaintiff to serve the defendant with a  
16 summons and a copy of the plaintiff's complaint and sets forth the specific requirements  
17 for doing so. *See* Fed. R. Civ. P. 4. Rule 4(m), which provides the timeframe in which  
18 service must be effectuated, states in relevant part:

19 If a defendant is not served within 90 days after the complaint is filed, the  
20 court—on motion or on its own after notice to the plaintiff—must dismiss  
21 the action without prejudice against that defendant or order that service be  
22 made within a specified time. But if the plaintiff shows good cause for the  
failure, the court must extend the time for service for an appropriate period.

1 Fed. R. Civ. P. 4(m). On June 21, 2022, the court extended the time for Plaintiff  
2 Jonathan Waters to serve Defendants Christopher Mitchell and Jane Doe Mitchell to  
3 October 14, 2022 for good cause shown. (6/21/22 Order (Dkt. # 19).) The mid-October  
4 deadline allowed Mr. Waters to serve the Mitchells after Mr. Mitchell returned from a  
5 fishing trip in Alaska, where he was not amenable to service. *Id.* That deadline has now  
6 passed and Mr. Waters has not presented any evidence that he has served the Mitchells  
7 with a summons and copy of his amended complaint. (*See id.*; *see generally* Dkt.)

8 The court therefore ORDERS Mr. Waters to SHOW CAUSE within ten (10) days  
9 of the date of this order why Defendants Christopher Mitchell and Jane Doe Mitchell  
10 should not be dismissed for failure to comply with Rule 4(m). If Plaintiff does not  
11 demonstrate good cause for the failure, the court will dismiss the above-named  
12 Defendants without prejudice.

13 Dated this <sup>14</sup>~~23~~th day of October, 2022.

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16 JAMES L. ROBART  
17 United States District Judge  
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